

# **WISCONSIN LEGISLATIVE COUNCIL STAFF**

## ***RULES CLEARINGHOUSE***

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## **CLEARINGHOUSE RULE 97-146**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

#### **1. Statutory Authority**

Section 30.635, Stats., prohibits the operation of motorboats at speeds in excess of slow-no-wake speed on lakes of 50 acres or less in size that have public access. It authorizes the Department of Natural Resources to promulgate rules modifying or waiving this restriction with regard to individual lakes if it determines that the modification or waiver will not impair public safety. This rule waives the slow-no-wake requirement for Tombeau Lake. However, there is no indication in the rule-making order that the required determination regarding public safety has been made. Assuming that the department has made the required determination, it should be reflected in the analysis of the rule-making order.

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

In the analysis, “waiver” is misspelled.